

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

AMERICAN CASUALTY COMPANY OF :  
READING, PA, :  
: Plaintiff, :  
: :  
v. : CIVIL ACTION FILE  
: NO. 3:04-CV-203  
CHOATE CONSTRUCTION COMPANY, :  
TC ARROWPOINT, L.P. and :  
NATIONAL UNION FIRE INSURANCE :  
COMPANY OF PITTSBURGH, PA, :  
: Defendants. :  
: \_\_\_\_\_:

**ORDER OF DISMISSAL**

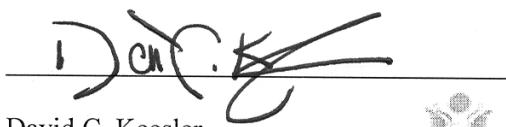
IT APPEARING to the Court that the affected parties have consented hereto,  
pursuant to Fed. R. Civ. P. 41(a)(ii), it is

HEREBY ORDERED that, to the extent that the Plaintiff's Complaint, as  
amended, sets forth any claims against Defendant, TC Arrowpoint, L.P., said  
claims and TC Arrowpoint, L.P., as a party, shall be, and the same hereby are,  
DISMISSED WITH PREJUDICE; it is

FURTHER ORDERED that, to the extent that the Plaintiff's Complaint, as  
amended, sets forth any claims against Defendants, Choate Construction Company

and National Union Fire Insurance Company of Pittsburgh, PA, said claims and this action, Case No. 3:04-CV-203, shall be, and the same hereby are, DISMISSED WITHOUT PREJUDICE.

Signed: March 27, 2006

  
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David C. Keesler  
United States Magistrate Judge 